

# AMENDED

## APPLICATION FOR PERMIT

Serial No. 8612

### TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUN 29 1928  
 Returned to applicant for correction DEC 15 1928  
 Corrected application filed FEB 11 1929

The undersigned Florence M. and J. M. Benedict  
Name of applicant  
 of Hawthorne, County of Mineral,  
 State of Nevada, hereby make application for  
 permission to appropriate the public waters of the State of Nevada, as  
 hereinafter stated. (If applicant is a corporation, give date and place  
 of incorporation.)

1. The source of the proposed appropriation is Cottonwood Creek  
Name of stream, lake, or other source  
 surface and underground waters.
2. The amount of water applied for is Two second-feet.  
One-second-foot equals 40 miners' inches
3. The water to be used for Irrigation and domestic purposes.  
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:  
at points below the present wier in Cottonwood Creek in the SW $\frac{1}{4}$  SW $\frac{1}{4}$   
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section-corner. If on unsurveyed land, it should be so stated.  
Sec. 8, T. 9 N; R. 29 E., M.D.B.&M., as more fully explained  
under the heading "Description of Proposed Works"

#### IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is 100
- (b) Description of land to be irrigated portions of the following  
Describe by legal subdivision, or if on unsurveyed land it should  
subdivisions: the northerly part of the S $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 8; the N $\frac{1}{2}$  S $\frac{1}{4}$   
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.  
Sec. 8; the fractional SE $\frac{1}{4}$ -NE $\frac{1}{4}$  or Lot 3, Sec. 8; the fractional SW $\frac{1}{4}$   
NW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  or Lot 1, Sec. 9, all in T. 9 N; R. 29 E., M.D.B.&M.
- (c) Use will begin about March 1st and end about Nov. 1st, of each year.  
Month Month

#### IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is \_\_\_\_\_ horsepower.
- (e) Works to be located \_\_\_\_\_  
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.
- (f) Point of return of water to stream \_\_\_\_\_  
Describe in same manner as point of diversion.
- (g) State number and kinds of animals to be watered \_\_\_\_\_
- (h) Use will begin about \_\_\_\_\_ and end about \_\_\_\_\_, of each year.  
Month Month
- (i) Remarks \_\_\_\_\_



DESCRIPTION OF PROPOSED WORKS

Water to be diverted by a dam and weir at surface and by running an open cut and tunnel underground, at points from 125 to 225 feet below the present point of diversion of the Knopf and Peterson pipelines (that is the present concrete wier) with wing drifts to bedrock if found necessary at upper end, water thus developed to be conveyed to land by ditches, pipes or flumes.

5. Estimated cost of works \$3000.00

6. Estimated time required to construct works Two years.

7. Remarks It is intended to drive this tunnel and cut to bedrock

For use of applicant

and pick up the underground waters of the creek which are now going to waste, and to carry the flow so secured to the lands owned jointly by the applicants.

Florence M. and J. M. Benedict, Applicant.

By Harvey M. Payne

Compared C. J. - JMS

This sheet inspected

, Engineer.

PROTESTED MARCH 17, 1929 BY--MICHAEL KNOFF, HAWTHORNE, MINERAL COUNTY, NEV. 19829  
"ANSWER TO PROTEST" FILED APRIL 26, 1929 By--FLORENCE M. & J. M. BENEDICT 19919  
APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all prior rights. A substantial weir must be installed and maintained to facilitate the measurement of water. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second.

Actual construction work shall begin on or before May 15, 1936

Proof of commencement of work shall be filed before June 15, 1936

Work must be prosecuted with reasonable diligence and be completed on or before May 15, 1938

Proof of completion of work shall be filed before June 15, 1938

Application of water to beneficial use shall be made on or before

May 15, 1939. Proof of the application of water to beneficial use must be filed with State Engineer on or before June 15, 1939

Map Filed Feb. 15, 1929

Proof of labor filed JUN 13 1936

WITNESS MY HAND AND SEAL this 20th day of November 1935

Cancelled JAN 12 1944 because of failure of applicant to comply with provisions of permit.

Alfred M. Smith  
State Engineer.